

**Washington, DC** - U.S. Rep. Mark Kirk (R-Ill.) will introduce legislation next week to open foreign agents or diplomats to criminal prosecution for the disbursement of radioactive, biological or chemical substances that pose a lasting, clear and present danger to American public's health.

The legislation comes less than a week after ex-KGB agent Alexander Litvinenko died in London as a result of poisoning by Polonium-210. While the source of the Polonium has not been confirmed, news agencies reported over the weekend that Russian diplomats may be targets of Scotland Yard's investigation.

"Foreign agents or diplomats should be on notice that they will face criminal prosecution by American authorities if they disburse radioactive or other substances posing a lasting, clear and present danger to the American public's health," said Congressman Kirk, a member of the House Appropriations Subcommittee that funds the State Department. "Whether the Russian government was involved in Litvinenko's death or not, it is time we establish a new international law —if agents or diplomats disburse radioactive material posing a lasting, clear and present danger, they will be prosecuted."

Under current U.S. law, foreign diplomats and agents under diplomatic cover are immune from criminal prosecution. Many immunities protect only "official" acts by agents. The Kirk legislation would remove this immunity if a diplomat or agent disbursed a radioactive substance posing a lasting, clear and present danger to human health on United States sovereign territory.

It would also define the disbursement of a radioactive substance as an unofficial act, therefore outside the protections afforded by the 1961 Vienna Convention of Diplomatic Relations. Substances covered by the Kirk bill include radioactive materials like uranium, plutonium and polonium; chemical agents like Sarin and Ricin; and biological weapons like Anthrax, Plague and Ebola.

Press reports from the U.K. indicate authorities found Polonium-210 contamination at three London locations: Piccadilly Circus, Muswell Hill and a London hotel. "The United States not only has dozens of embassies in Washington but also in New York City as part of the United Nations. We cannot let Washington or New York suffer the fate of London, now trice contaminated by radioactive materials. Foreign diplomats and agents must be on notice that in the United States, no grant of immunity will hold for such an act," Kirk said. "This is common-sense legislation that protects American lives and our environment while safeguarding the diplomatic infrastructure of the United Nations."

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